

**Water Quality Program Guidance
For the Dairy Inspection Program
Amended 3/30/99 and 9/14/99**

III. TAKING ACTION ON THE “POTENTIAL” TO DISCHARGE

Follow the “Responses to Environmental Conditions” below. Assume there is a scale of “potential” to discharge with 0.0 being no possibility and 10.0 being an actual discharge. With this in mind, the following general categories of potential will guide our actions described in Section IV below.

“**Minimal**” potential is in the range of 0.1 – 4.9
“**Moderate**” potential is in the range of 5.0- 8.9
“**Imminent**” potential is in the range of 9.0 - 9.9.

IV. RESPONSES TO ENVIRONMENTAL CONDITIONS

- **Minimal potential to pollute** – note on the inspection form with no further action at that time. Follow-up inspections are an option.
- **Moderate potential to pollute** – note on inspection form and issue NOC.
- **Imminent potential to pollute** – note on the inspection form and issue an NOV and/or Order.
- **Best Professional Judgement** – recognize there may not be a clear line at times between classifying a situation as having a moderate or an imminent potential for pollution. In these situations use your best professional judgement selecting a compliance or enforcement action that will be most effective.

**ADDENDUM TO
SUPPLEMENTAL WATER QUALITY PROGRAM GUIDANCE
FOR THE DAIRY INSPECTION PROGRAM
Amended March 30, 1999**

Minimal Potential to Pollute

1. Lack of gutters on building not in close proximity to surface waters.
2. Some accumulation of manure on ground not in close proximity to surface waters.

RESPONSE: Simply note on inspection form.

Moderate Potential to Pollute

1. Uncovered slab receiving wastes and sloped toward and in close proximity to a surface water channel during a dry period.

RESPONSE: Issue NOC.

Imminent Potential to Pollute

1. Overflowing lagoon in close proximity to surface waters.
2. Application of wastes in close proximity to a surface water channel in the middle of winter.
3. Year-round application of wastes with no long-term waste storage and where watercourses are in close proximity to the fields receiving wastes.
4. Application of wastes on soils that are highly permeable at rates/schedules not specified in the nutrient management plan, or in the absence of a plan, at rates/schedules that are clearly not agronomic.

RESPONSE: Issue NOV and Administrative Order.